

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tadashi MARUNO, et al.)
U.S. Application No.: 10/529,653) Group Art Unit: Unassigne
Filed: March 31, 2005) Examiner: Unassigned
For: FLUORESCENCE MEASURING APPAR	RATUS

Commissioner of Patents
MAIL STOP MISSING PARTS

Sir:

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. § 1.97(b)</u>

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

An International Search Report (ISR) dated February 3, 2004 is attached together with a copy of each document listed on the PTO Form 1449 that is not a U.S. patent or U.S. patent publication.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art."

DC\545609\1

If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Peter J. Sistare

Registration No. 48,183

Dated: November 10, 2005

CUSTOMER NO. 055694
DRINKER, BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100 Washington, D.C. 20005-1209

Tel: (202) 842-8800 Fax: (202)-204-0289

INFORMATION DIS SURE CITATION			Attorney Docket N 046124-5376				Serial No.: 10/529,653			
(Use several sheets if necessary)		Applicants Tadashi MARUNO, et al.				Page 1 of 1				
PTO Form 1449			Filing Date: March 31, 2005				Group Art Unit: Unassigned			
		U.S. PATENT	DOCUM	ENTS						
*Examiner	Document		-				Sub			
Initial	Number	Date		Nam	ie	Class	Class	Filin	g Date	
					:					
						-				
				ļ						
				<u> </u>						
							 			
										
	FO	REIGN PATE	ENT DOC	UMENTS						
	Document				~:	Sub <u>Translation</u>				
	Number WO 02/10259		Date Country Class Class				NO			
	WO 93/19358 JP 01-227948	September 30, 1993 WO September 12, 1989 Japan		Abstract Only Abstract Only						
	JP 59-104519					stract Only				
	JP 07-250804	October 3		Japan			Abstract Only		-	
	JP 2001-197373	July 19,		Japan			Abstract Only			
							<u> </u>			
		-								
							<u>i</u>			
	OTHER DOCUMENT	S (Including A	uthor, Title	e, Date, Per	tinent Pag	ges, Etc.)				
										
-					5 0		······		·	
Examiner					Date Con	sidered				
Evaminer: Initial if re	ference considered whether	r or not citation	is in confe	rmanaa wii	L MOED	600. drav	line through	h citat	ion if	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.